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<b>To:</b>	Examiner Sy D. Luu	<b>From:</b>	Timothy N. TROP
<b>Company:</b>	US Patent Office	<b>Date:</b>	July 13, 2006
<b>Fax:</b>	(571) 273-8300	<b>Pages:</b>	2 (including cover sheet)
<b>Your Re:</b>	09/409,330	<b>Our Re:</b>	ITL0268US

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## MESSAGE:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 13 2006

In re Applicant:	§	
Jason T. Cassezza	§	Art Unit: 2174
	§	
Serial No.: 09/409,330	§	Examiner: Sy D. Luu
	§	
Filed: September 30, 1999	§	Docket: ITL.0268US
	§	P7591
For: Controlling Audio Volume	§	
in Processor-Based Systems	§	Assignee: Intel Corporation
	§	

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO IMPROPER FINAL REJECTION**

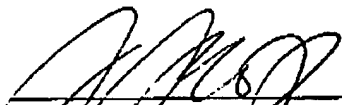
Sir:

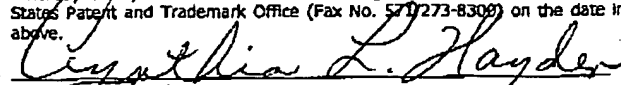
The Applicant hereby responds to the final rejection issued after reversal by the Board of Appeals. The rejection is improper for two grounds. Firstly, the rejection is improper because after reversal, the Examiner must obtain the permission of the technology center director to reopen prosecution. See M.P.E.P. § 1214.04. Since such approval was not obtained, the office action is a nullity.

Even if such approval were obtained, the rejection on a new grounds of rejection after decision on the Board cannot be made final since there was no amendment that precipitated the action. Therefore, the finality of the office action is improper.

Respectfully submitted,

Date: July 13, 2006

  
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Date of deposit: July 13, 2006  
I hereby certify that this document is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on the date indicated above.  
  
Cynthia L. Hayden